

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

PHIL SAMPSON,

Plaintiff,

v.

GILLESPIE, et al.,

Defendants.

Case No. 1:20-cv-00322-ADA-SAB

ORDER RE: STIPULATED MOTION TO
MODIFY SCHEDULING ORDER

(ECF No. 35)

A scheduling order for this matter issued on June 22, 2021, and has been modified on October 3, 2022, and May 1, 2023. (ECF Nos. 32, 34.) Expert discovery closes on May 30, 2023; the dispositive motion deadline is set for June 23, 2023. (ECF No. 32.) Trial is currently set for February 20, 2024, with a pretrial conference on December 18, 2023. (Id.)

On May 24, 2023, the parties filed a joint stipulation to continue the expert discovery deadline, which the Court construes as a stipulated motion to modify the scheduling order. (ECF No. 35.) The parties seek to extend the expert discovery deadline for the very limited purpose of completing the deposition of Mr. Gwinn, a non-retained expert that conducted an independent investigation regarding the death of Lauren Sampson. The parties proffer good cause for the extension exists because, despite diligent efforts in attempting to complete Mr. Gwinn's deposition (see id. at 2–4 (detailing efforts)), service and scheduling issues prevented the parties

1 from completing it. Mr. Gwinn's deposition is currently set for June 15, 2023, which falls outside
2 the current expert discovery cutoff date of May 30, 2023. Accordingly, the parties seek a brief
3 extension of this deadline, to June 15, 2023, to enable the deposition to be taken. The Court finds
4 good cause exists to grant the parties' requested relief.

5 Accordingly, IT IS HEREBY ORDERED that the parties' stipulated motion to modify the
6 schedule (ECF No. 35) is GRANTED and the scheduling order is modified as follows:

- 7 1. The Expert Discovery Deadline is extended to **June 15, 2023**, for the limited
8 purpose of completing the deposition of Mr. Gwinn; and
- 9 2. All remaining deadlines set forth in the scheduling order, as modified (ECF Nos.
10 25, 32, 34) shall remain unaltered.

11 IT IS SO ORDERED.

12 Dated: **May 25, 2023**


UNITED STATES MAGISTRATE JUDGE